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October 17, 2008

**VIA ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Re: *Notice of Ex Parte Presentation: Developing a Unified Inter-carrier  
Compensation Regime, CC Docket No. 01-92*

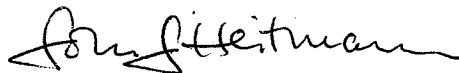
Dear Ms. Dortch:

Yesterday, Brad Lerner of Cavalier Telephone, Jerry Watts of DeltaCom, Susan Berlin of NuVox, Hilda Legg of Legg Strategies, and the undersigned, of Kelley Drye & Warren LLP, met with Commissioner Tate and her Legal Advisor, Greg Orlando. Our discussion focused on points summarized in the attached presentation which was distributed at the meeting.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed with your office via ECFS for inclusion in the public record of this proceeding.

Please contact me at (202) 342-8544, if you have any questions about this letter.

Respectfully submitted,



John J. Heitmann

cc: Commissioner Tate  
Greg Orlando



# **INTERCARRIER COMPENSATION REFORM**

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**CC DOCKET NO. 01-92**

**October 17, 2008**

**Cavalier Telephone**

**NuVox**

**Deltacom**

# Need for Integrity, Transparency and Protection of Consumers



- Our companies need time to review all facets of proposal from an economic and technical perspective. This is not about delay -- rather, a NEW cost methodology and revised network architecture will have a disruptive and game-changing effect on our day to day business.
- We need transparency more than ever during uncertain economic times.
- Higher prices for consumers and small businesses are untenable.
- State rights may be encroached upon -- the fallout on States is unclear.



## Effect on Our Businesses

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- Regulatory uncertainty is detrimental to our ability to budget and secure capital.
- Intercarrier compensation provides critical support for our deployment of telecom network infrastructure, including broadband facility deployment.
- Sudden loss of intercarrier compensation could derail our network expansion plans.
- If reforms are made, it is critical to ensure that they are made on a competitively neutral basis.
- An adequate transition period is required to allow us to reposition our businesses.



## Further NPRM

- In light of the comprehensive reform on the table, the FCC should issue an Further Notice of Proposed Rulemaking with details of the proposals and allow for comment.



## Contact Information

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